

Message Text

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ACTION ARA-06

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P 222153Z APR 75

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC PRIORITY 3679

LIMITED OFFICIAL USE SECTION 1 OF 2 PANAMA 2350

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FOR DEPUTY NEGOTIATOR BELL

EO 11652: N/A

TAGS: PN PFOR PQ

SUBJ:REQUEST FOR CLEARANCE OF NEW MATERIAL FOR BLACKEN'S
SPEECH

1. MATERIAL FOR INCLUSION IN DRAFT OF BLACKEN'S SPEECH AT HOWARD AIR FORCE BASE APRIL 25 IS TRANSMITTED HERewith FOR REVIEW AND CLEARANCE. THIS MATERIAL IS INTENDED TO COUNTER WILD RUMORS NOW CIRCULATING IN CANAL ZONE CONCERNING THE NEGOTIATIONS AND IS ALSO INTENDED TO CALM EMPLOYEE FEARS THAT THEIR INTERESTS WILL NOT BE PROTECTED. REMAINDER OF SPEECH REMAINS ESSENTIALLY UNCHANGED.

2. THE FOLLOWING EXCERPT WOULD BE USED AS PART OF OPENING REMARKS:
"I HAVE READ A CIRCULAR LETTER, NOW BEING CIRCULATED BY MEMBERS OF A LOCAL CIVIC COUNCIL, WHICH OPPOSES THE TREATY NEGOTIATIONS USING ARGUMENTS BASED ON SOME OF THESE MISCONCEPTIONS. BEFORE I PROCEED ANY FURTHER, I WANT TO DEAL WITH SOME OF THEM.

FIRST: THE LETTER REPEATS THE MYTH THAT THE CANAL ZONE IS A U.S. TERRITORIAL POSSESSION. THIS CLAIM IS SIMPLY NOT TRUE. THE CANAL ZONE IS NOT AND NEVER HAS BEEN A U.S. TERRITORIAL POSSESSION. THE TRUTH IS THAT THE U.S. HAS TREATY RIGHTS GRANTING IT THE USE OF THIS PANAMANIAN TERRITORY FOR CERTAIN PURPOSES. FOR US TO PERSIST IN CALLING THE CANAL ZONE A U.S. TERRITORIAL POSSESSION WOULD BE THE SAME AS HIDING OUR HEADS IN THE SAND.

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WORSE YET, TO USE THIS MYTH AS A CORNERSTONE OF U.S. POLICY

CONCERNING THE CANAL WOULD LEAD TO DISASTER. YET THAT IS WHAT SOME PEOPLE SAY WE SHOULD DO.

SECONDLY: CONCERN HAS BEEN EXPRESSED THAT THE TREATY NEGOTIATORS MAY SACRIFICE THE LEGITIMATE INTERESTS OF CANAL EMPLOYEES. I CAN ASSURE THEM THAT THE UNITED STATES NEGOTIATORS HAVE THE NEEDS AND CONCERNS OF CANAL EMPLOYEES VERY MUCH IN MIND. THEIR LEGITIMATE CAREER INTERESTS - AND THEIR PAST SERVICE AND LOYAL DEDICATION - WILL BE RESPECTED AND PROTECTED. LATER ON I WILL SAY MORE CONCERNING THIS IMPORTANT MATTER.

THIRDLY: MANY OF THE FEARS EXPRESSED BY U.S. OPPONENTS OF THE NEGOTIATIONS APPEAR TO BE FOUNDED UPON THE CONVICTION THAT PANAMA AND THE PANAMANIAN PEOPLE ARE ENEMIES OF THE UNITED STATES. THE CONTRARY IS TRUE. PANAMA IS AND HAS BEEN A VALUED PARTNER OF THE UNITED STATES. SHE HAS PROVIDED AN ESSENTIAL INGREDIENT FOR THE CANAL ENTERPRISE - HER TERRITORY AND GEOGRAPHIC POSITION. HOWEVER, PANAMA IS NOW AN UNHAPPY PARTNER BECAUSE SHE FEELS SHE HAS NOT BEEN TREATED FAIRLY OR WITH RESPECT BY HER SENIOR PARTNER.

FINALLY: I HEAR AND READ SO FREQUENTLY THAT THE STATE DEPARTMENT IS DETERMINED AND EVEN EAGER TO SACRIFICE U.S. NATIONAL INTERESTS BY "GIVING AWAY" THE CANAL ZONE AND THE CANAL WITHOUT REFERENCE TO CONSTITUTIONAL PROCESSES, CONGRESS OR THE WILL OF THE AMERICAN PEOPLE THAT I CANNOT RESIST SAYING A FEW WORDS ABOUT THAT. THE STATE DEPARTMENT IS NOT A SUBVERSIVE ORGANIZATION. THE FACTS ARE: -- THE U.S. POSITION IN THE CANAL TREATY NEGOTIATIONS IS A COORDINATED UNITED STATES GOVERNMENT POSITION WHICH ALL INTERESTED AGENCIES, AND ESPECIALLY THE DEPARTMENTS OF THE ARMY AND OF DEFENSE, HAVE PARTICIPATED IN SHAPING. THE U.S. NEGOTIATORS ARE CARRYING OUT THE INSTRUCTIONS OF THE PRESIDENT OF THE UNITED STATES.

-- THE POLICY OF THE UNITED STATES IN THE NEGOTIATIONS HAS BEEN DESIGNED TO PROTECT AND PROMOTE U.S. NATIONAL INTERESTS IN THE CANAL, IN PANAMA AND IN LATIN AMERICA. IT IS ABUNDANTLY CLEAR THAT THE 1903 TREATY RELATIONSHIP NO LONGER ADEQUATELY PROTECTS U.S. INTERESTS - IN FACT IT JEOPARDIZES THEM."

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3. THE FOLLOWING EXCERPT SUMMARIZES THE CANAL'S IMPORTANCE FOR THE U.S.:

"THE U.S. HAS RECEIVED TREMENDOUS MILITARY AND ECONOMIC BENEFITS FROM THE CANAL. TODAY ITS CONTRIBUTION TO U.S. WELL BEING IS MUCH LESS IMPORTANT THAN IN THE PAST. MAJOR ELEMENTS OF OUR DEFENSE SYSTEM ARE INTERCONTINENTAL BOMBERS AND MISSILES,

INCLUDING THOSE ON SUBMARINES, AND OUR TWO OCEAN NAVY IS ORGANIZED INTO TASK FORCES CENTERED AROUND AIRCRAFT CARRIERS WHICH CANNOT GO THROUGH THE CANAL. IT REMAINS, HOWEVER, AN IMPORTANT LINE OF COMMUNICATION AND SHORTENS SUPPLY LINES TO POTENTIAL TROUBLE SPOTS.

ECONOMICALLY THE CANAL'S RELATIVE IMPORTANCE TO THE U.S. ALSO HAS DECLINED. A RECENT STUDY HAS SHOWN THAT THE VALUE OF THE CANAL TO THE U.S. COMMERCIAL USERS WILL AVERAGE ABOUT \$34 MILLION ANNUALLY IN THE NEXT DECADE. WHEN COMPARED TO THE SIZE OF THE INDUSTRIES USING IT, THE CANAL IS OF LIMITED IMPORTANCE IN DOLLAR TERMS. THAT IS, THE CANAL'S IMPACT ON THE DOMESTIC ECONOMY IS SMALL RELATIVE TO THE SIZE OF THE ECONOMY AS A WHOLE. AS TRADING PATTERNS CHANGE AND LARGER SHIPS ARE BUILT, THE CANAL'S VALUE DECREASES RELATIVE TO THE U.S. AND WORLD ECONOMIES."

4. AN EXCERPT CONCERNING THE PROTECTION OF U.S. INTERESTS AND OBJECTIVES IN THE TREATY NEGOTIATIONS FOLLOWS:

"INVARIABLY THE ANSWER HAS BEEN THAT U.S. NATIONAL INTERESTS CAN BEST BE PROTECTED IN A NEW TREATY RELATIONSHIP. THIS IS BECAUSE THE PRESENT TREATY PROVIDES NO GUARANTEE OF SECURITY FOR THE CANAL. THE CANAL AT THIS MOMENT IS EXTREMELY VULNERABLE TO ACTS OF SABOTAGE OR HOSTILE ACTIONS BY THE LOCAL POPULATION. THE BEST DEFENSE AGAINST THESE KINDS OF THREATS IS A PEACEFUL AND FRIENDLY ENVIRONMENT SURROUNDING THE CANAL, ONE IN WHICH AN ATTACK ON THE CANAL WOULD BE CONSIDERED AS TREASON TO PANAMA.

UNITED STATES OBJECTIVES IN THE CURRENT TREATY NEGOTIATIONS INCLUDE: -- CONTINUED U.S. CONTROL OVER OPERATION AND DEFENSE OF THE EXISTING CANAL FOR THE LIFETIME OF THE TREATY.

-- A VIABLE TREATY ARRANGEMENT WHICH PROVIDES FOR AN LIMITED OFFICIAL USE

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ENDURING, MUTUALLY ACCEPTABLE RELATIONSHIP WITH PANAMA.

-- GREATER SECURITY FOR THE CANAL THAN NOW EXISTS."

5. THE EXCERPT QUOTED ABOVE IS FOLLOWED BY A BRIEF, NON-CONTROVERSIAL ONE-PAGE DESCRIPTION OF THE KISSINGER-TACK 8 POINT AGREEMENT. THAT IS "SINCE THE SIGNING OF THE AGREEMENT ON 8 PRINCIPLES LAST YEAR, THE NEGOTIATORS HAVE MADE STEADY PROGRESS. THEY HAVE BEEN NEGOTIATING CONCEPTUAL AGREEMENTS AROUND EACH OF THE MAJOR ISSUES SUCH AS CANAL ADMINISTRATION, JURISDICTION, DEFENSE, LANDS AND WATERS, COMPENSATION, TREATY DURATION, AND POSSIBLE CANAL EXPANSION. THEY ARE NOW ABOUT HALF WAY THROUGH THIS PROCESS. WHEN THE PROCESS IS NEARLY COMPLETED, THE NEGOTIATORS WILL UNDOUBTEDLY HAVE TO REVIEW SOME OF THE EARLIER AGREEMENTS AND READJUST THEM. SOME

TOUGH ISSUES REMAIN AHEAD. BOTH COUNTRIES HAVE LEGITIMATE INTERESTS THAT CONFLICT TO SOME DEGREE. BECAUSE OF THIS, IT IS DIFFICULT TO ESTIMATE WHEN THE NEGOTIATIONS WILL BE COMPLETED. IT COULD TAKE 3 TO 6 MONTHS."

6. AN EXCERPT ON "SOVEREIGNTY" FOLLOWS:

" SOME PEOPLE SAY IF WE GIVE UP "SOVEREIGNTY", I.E. JURISDICTION, WE WOULD JEOPARDIZE OUR CONTROL OVER THE CANAL AND OUR ABILITY TO DEFEND IT. THEY ALSO SAY THAT ONLY A CONTINUATION OF U.S. "SOVEREIGNTY" PROTECTS EMPLOYEE FREEDOMS AND LIBERTIES. I DISAGREE WITH THESE STATEMENTS. ALL WE HAVE NOW ARE JURISDICTIONAL RIGHTS BASED ON A TREATY WITH WHICH OUR TREATY PARTNER IS EXTREMELY UNSATISFIED. "SOVEREIGNTY" - ASSUMING WE HAVE IT, AND THAT IS DISPUTABLE - WOULD OFFER LITTLE COMFORT OR PROTECTION IN A HOSTILE ENVIRONMENT. WHAT THE UNITED STATES NEEDS AND WILL OBTAIN IN A NEW TREATY ARE THE ESSENTIAL RIGHTS TO OPERATE AND DEFEND THE CANAL AND ITS EMPLOYEES. WE WILL HAVE FOR U.S. MILITARY FORCES A STATUS OF FORCES AGREEMENT SIMILAR TO THOSE THAT WE HAVE WITH OTHER COUNTRIES WHERE THE U.S. MAINTAINS MILITARY FORCES.

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THE U.S. WILL GET RID OF THOSE RIGHTS IT DOES NOT NEED TO ACCOMPLISH ITS MISSION IN PANAMA, AND KEEP THOSE RIGHTS WHICH ARE NECESSARY. AND, IT WILL OBTAIN SOMETHING THAT IT DOES NOT NOW HAVE - PANAMANIAN ACCEPTANCE OF THE U.S. PRESENCE. I REPEAT: THE CANAL WILL HAVE GREATER SECURITY UNDER A NEW TREATY THAN IT NOW HAS."

7. PROPOSED COMMENTS ON RUMORS AND EMPLOYEE RIGHTS FOLLOW:

"SOME OF THE WILD RUMORS CIRCULATING IN THE CANAL ZONE CONCERNING U.S. PLANS ARE SO ABSURD I HESITATE TO EVEN DISCUSS THEM. HOWEVER, THERE HAVE BEEN SO MANY LATELY THAT IT HAS BECOME CLEAR THAT THEY HAVE NOT SPRUNG UP SPONTANEOUSLY. MOREOVER, THEY APPEAR DESIGNED TO STIMULATE FEARS AMONG CANAL EMPLOYEES. THEREFORE I WILL COMMENT ON A COUPLE OF THEM.

ONE RUMOR IS THAT THE STATE DEPARTMENT IS PLANNING TO RENT THE ENTIRE CANAL ZONE AREA TO THE REPUBLIC OF PANAMA AT THE ANNUAL RATE OF \$1 WITH THE PROVISIO THAT PANAMA WOULD EXERCISE ALL THE RIGHTS, POWER AND AUTHORITY WITHIN THE CANAL ZONE "AS IF SHE WERE THE SOVEREIGN." THIS RUMOR CAN ONLY BE INTERPRETED AS A MEANS OF FEEDING THE FEARS OF CANAL EMPLOYEES AND AS AN INSULT TO PANAMA (BECAUSE PANAMA MAINTAINS IT NEVER RELINQUISHED SOVEREIGNTY). IT IS TOTALLY FALSE.

ANOTHER RUMOR IS THAT FOLLOWING THE SIGNING OF A NEW TREATY IN JUNE - TWO MONTHS FROM NOW - THE CANAL ZONE POLICE AND FIRE DEPARTMENTS, POSTAL SYSTEM AND OTHER PUBLIC SERVICES WILL BE DISCONTINUED WITHOUT REFERENCE TO THE TREATY OR CONGRESSIONAL APPROVAL. THIS TOO IS NOT TRUE.

THE STATE DEPARTMENT IS NEGOTIATING A TREATY WHICH WILL PROTECT LIMITED OFFICIAL USE

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AND PROMOTE U.S. NATIONAL INTERESTS AND WHICH WILL BE SUBMITTED TO THE SENATE FOR APPROVAL. WITHOUT RATIFICATION OF SUCH A TREATY OR LEGISLATION BY CONGRESS, NO JURISDICTIONAL TRANSFERS COULD BE EFFECTED. THE DELIBERATE STIMULATION OF SUCH RUMORS IS UNFAIR TO CANAL EMPLOYEES AND TO THE U.S. NEGOTIATORS. TO PORTRAY A LACK OF DETAILED INFORMATION, AS SOME GROUPS APPARENTLY ARE DOING, AS EVIDENCE OF A STRATEGY TO DECEIVE THE EMPLOYEES, THE CONGRESS AND THE AMERICAN PEOPLE, IS IRRESPONSIBLE ACTION. THE TRUTH IS THAT MANY OF THE DETAILS IN THE NEGOTIATIONS REMAIN TO BE WORKED OUT.

I HAVE ALREADY SAID THAT PROTECTION OF U.S. EMPLOYEE INTERESTS IS ONE THING THAT THE U.S. NEGOTIATORS KEEP CONSTANTLY IN MIND. IT CAN BE STATED CATEGORICALLY THAT THE LEGITIMATE RIGHTS AND INTERESTS OF EMPLOYEES WILL BE PROTECTED. LET ME ALSO ADD THAT PANAMANIAN OFFICIALS HAVE EXPRESSED UNDERSTANDING FOR THE CONCERNS OF CANAL EMPLOYEES.

UNDER A NEW TREATY THE U.S. WILL HAVE A DOMINANT VOICE IN PERSONNEL POLICY OF THE CANAL ENTITY. CERTAINLY THOSE EMPLOYEES IN THE CANAL OPERATIONS CAN EXPECT TO SERVE OUT THEIR CAREERS. IN SOME SERVICE AND AUXILIARY COMMERCIAL ACTIVITIES, PRECISELY WHICH ONES HAVE NOT YET BEEN DETERMINED, THERE WILL BE CHANGES AS RESPONSIBILITY FOR CERTAIN FUNCTIONS IS TRANSFERRED TO PANAMA. THE FUTURES OF EMPLOYEES AFFECTED BY SUCH TRANSFERS IS A MATTER OF IMPORTANT CONCERN TO BOTH GOVERNMENTS. BOTH WISH TO MINIMIZE THE HARDSHIPS WHICH MAY BE ENCOUNTERED BY PERSONS AFFECTED. WE RECOGNIZE A MORAL OBLIGATION TOWARD EMPLOYEES WHO WILL BE ADVERSELY AFFECTED. BOTH GOVERNMENTS WORKING TOGETHER

AND INDIVIDUALLY WILL SEEK SOLUTIONS FOR THESE PROBLEMS.
I AM AWARE, HOWEVER, AS ARE THE U.S. AND PANAMANIAN NEGOTIATORS,
THAT FEAR, EVEN IF UNFOUNDED, IS VERY REAL TO THE PERSONS WHO FEEL
IT. THEREFORE, ALL EFFORTS WILL BE MADE TO PROVIDE SPECIAL
ASSURANCES AND PROTECTION TO CANAL EMPLOYEES.

OCCASIONALLY ONE HEARS OF RUMORS CIRCULATING HERE IN THE CANAL
ZONE ABOUT SOME FICITIONAL SITUATION SUPPOSED TO HAVE
HAPPENED IN PANAMA. HOW ANYONE COULD POSSIBLY BELIEVE THESE
STORIES IS BEYOND MY COMPREHENSION. UNFORTUNATELY A STEADY
DIET OF THE STORIES CREATE A VERY NEGATIVE AND FALSE IMAGE
OF PANAMA IN THE MINDS OF PEOPLE LIVING IN THE ZONE.

ABOUT FIVE THOUSAND AMERICANS LIVE IN PANAMA CITY UNDER
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PANAMANIAN JURISDICTION. THEY RUN THEIR BUSINESSES, LIVE AND
PLAY IN PANAMA. THEY LIVE NORMAL, UNTROUBLED LIVES. IN MY OWN
EXPERIENCE, AS FAR AS VIOLENCE ON THE STREETS IS CONCERNED,
PANAMA CITY IS SAFER THAN MANY CITIES IN THE UNITED STATES.
AND AS FOR THAT CLASSIC - AND FALSE - CHARGE ABOUT GARBAGE
COLLECTION BEING POOR IN PANAMA, LET ME SAY THAT IN THE COMMUNITY
IN WHICH I LIVE THE GARBAGE IS PICKED UP SEVEN DAYS A WEEK.
WHAT I AM SAYING IS THAT THE FEARS SOME PEOPLE HAVE ABOUT
LIVING UNDER PANAMANIAN JURISDICTION ARE UNFOUNDED. THEY WILL
FIND THAT THEY CAN LIVE VERY COMFORTABLY AND SAFELY IN A
PANAMANIAN SOCIETY. THEY WILL ENJOY ESSENTIALLY THE SAME RIGHTS
AND LIBERTIES THAT U.S. GOVERNMENT EMPLOYEES HAVE IN COUNTRIES
AROUND THE WORLD. MOREOVER, PANAMANIANS ARE A FRIENDLY PEOPLE.
EVEN UNDER THE PRESENT UNSATISFACTORY SITUATION THEY DO NOT
DISLIKE INDIVIDUAL AMERICANS. WHAT THEY DISLIKE IS WHAT THEY
PERCEIVE TO BE A U.S. DESIRE TO PERPETUATE AN UNJUST
SITUATION."

8 THE CONCLUSION OF THE DRAFT SPEECH FOLLOWS:

"WE MUST FACE THE REALITY THAT MUCH OF THE WORLD LOOKS UPON
OUR PRESENCE AS NOW CONSTITUTED IN THE CANAL ZONE AS AN ANACH-
RONISTIC ODDITY. THE WORLD HAS CHANGED MUCH SINCE 1903 WHEN
MOST OF THE WORLD'S MAJOR POWERS HAD EXTENSIVE COLONIAL HOLDINGS
AND THE ESTABLISHMENT OF JURISDICTION OVER A PORTION OF TERRITORY
IN ANOTHER COUNTRY WAS NOT IN CONFLICT WITH INTERNATIONAL
PRACTICE AT THE TIME. TODAY, THE COLONIAL EMPIRES ARE
GONE AND EXERCISING SOVEREIGN PREROGATIVES OVER SOMEONE ELSE'S
TERRITORY, SUCH AS WE DO IN THE CANAL ZONE, IS NO LONGER
GENERALLY ACCEPTABLE. OUR PRESENCE IN THE CANAL ZONE IS CONTRARY
TO OUR OWN POLITICAL HERITAGE AND THE ANTI-COLONIAL TRENDS
WHICH HAVE CHARACTERIZED WORLD RELATIONSHIPS SINCE WWII.
MOREOVER, CONTINUED EFFICIENT OPERATION OF THE CANAL DOES
NOT REQUIRE PERPETUAL U.S. CONTROL, BUT A RELATIONSHIP BASED

ON MUTUAL RESPECT AND DIGNITY. INSISTENCE ON PERPETUAL CONTROL IS LIKELY TO CREATE THE KIND OF HOSTILE ENVIRONMENT WHICH WILL JEOPARDIZE OUR ABILITY TO OPERATE THE CANAL EFFICIENTLY AND SECURELY.

WE RECOGNIZE THAT NO AGREEMENT CAN ENDURE UNLESS THE PARTIES TO IT HAVE A STAKE IN MAINTAINING IT. WHY NOT, THEREFORE, LIMITED OFFICIAL USE

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AGREE UPON A TREATY IN WHICH THE TRUE INTERESTS OF BOTH COUNTRIES ARE RECOGNIZED AND PROTECTED?

I HAVE HEARD IT SAID THAT WITH THE REVERSES THE U.S. HAS SUFFERED IN SOUTHEAST ASIA, THE MIDDLE EAST AND ELSEWHERE, THE AMERICAN PEOPLE WILL BE IN NO MOOD TO "RETREAT" IN PANAMA. MY ANSWER TO THAT IS THAT A MUTUALLY SATISFACTORY CANAL TREATY WILL BE A FOREIGN POLICY VICTORY FOR THE U.S., NOT ONLY IN PROTECTING OUR INTERESTS IN THE CANAL AND PANAMA, BUT ALSO IN OPENING THE WAY TO IMPROVED RELATIONS WITH ALL OF LATIN AMERICA. MOREOVER, IT WOULD BE COMPLETELY IN ACCORD WITH OUR NATIONAL HERITAGE AS IT WOULD RID US OF A SITUATION THAT SMACKS OF COLONIALISM AND IS A CARRYOVER FROM THE DAYS OF "GUNBOAT DIPLOMACY." THROUGHOUT HISTORY WHEN GREAT NATIONS HAVE PERSISTED IN CLINGING TO MYTHS AND HAVE FAILED TO ADJUST OLD POLICIES TO NEW REALITIES, THEY BEGAN THEIR DECLINE. WE ARE CONFRONTED IN PANAMA WITH A NEW REALITY. LET'S RECOGNIZE IT."

9. COMMENT. BLACKEN BELIEVES THE FIRST DRAFT OF THE SPEECH IS TOO LONG AND IS CONDENSING IT. HE WOULD WELCOME, HOWEVER, SUGGESTIONS ON STRENGTHENING THE ASSURANCES TO EMPLOYEES OR MORE SPECIFIC COMMENTS CONCERNING THE NEGOTIATIONS.
JORDEN

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